

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION, a Washington  
corporation,

Plaintiff,

v.

MOTOROLA, INC., and MOTOROLA  
MOBILITY, INC., and GENERAL  
INSTRUMENT CORPORATION

Defendants.

MOTOROLA MOBILITY, INC., and  
GENERAL INSTRUMENT CORPORATION,

Plaintiffs/Counterclaim Defendant,

v.

MICROSOFT CORPORATION,

Defendant/Counterclaim Plaintiff

CASE NO. C10-1823-JLR

DECLARATION OF STUART W.  
YOTHERS IN SUPPORT OF  
MOTOROLA'S PREHEARING  
STATEMENT

DECLARATION OF STUART W. YOTHERS  
CASE NO. C10-1823-JLR

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1           1.       I am an associate at the law firm of Ropes & Gray LLP, counsel to Motorola, Inc.  
2 (now Motorola Solutions, Inc.), Motorola Mobility, Inc. and General Instrument Corporation  
3 (collectively "Motorola"), Defendants in this action, and am a member in good standing of the  
4 bars of the State of New York and the Commonwealth of Massachusetts.

5           2.       I submit this declaration in support of Motorola's Prehearing Statement, submitted  
6 concurrently herewith.

7           3.       Attached hereto as Exhibit A is a true and correct copy of Motorola's Preliminary  
8 Identification Of Claim Terms To Be Construed, dated December 2, 2011.

9           4.       Attached hereto as Exhibit B is a true and correct copy of Plaintiff And Cross-  
10 Defendant Microsoft Corporation's Proposed Claim Terms And Elements For Construction, dated  
11 December 2, 2011.

12          5.       Attached hereto as Exhibit C is a true and correct copy of Motorola's Preliminary  
13 Proposed Constructions.

14          6.       Attached hereto as Exhibit D is a true and correct copy of Plaintiff And Cross-  
15 Defendant Microsoft Corporation's Preliminary Claim Constructions and Supporting Extrinsic  
16 Evidence.

17          7.       Attached hereto as Exhibit E is a true and correct copy of an email from Douglas  
18 Lewis, Esq. dated December 31, 2011 at 12:07pm EST.

19          8.       Attached hereto as Exhibit F is a true and correct copy of an email (without  
20 attachments) from Stuart Yothers, Esq. dated January 5, 2012 at 12:27pm EST.

21          9.       Attached hereto as Exhibit G is a true and correct copy of an email (without  
22 attachments) from Alison Potter, Esq. dated January 5, 2012 at 6:51pm EST.

23          10.       Attached hereto as Exhibit H is a true and correct copy of an email from Stuart  
24 Yothers, Esq. dated January 5, 2012 at 9:23pm EST.

25          11.       Attached hereto as Exhibit I is a true and correct copy of an email from Stuart  
26 Yothers, Esq. dated January 6, 2012 at 2:39pm EST.

13. Attached hereto as Exhibit K is a true and correct copy of an email from Stuart Yothers, Esq. dated January 6, 2012 at 4:29pm EST.

14. Attached hereto as Exhibit L is a true and correct copy of and email from David Greenfield, Esq. dated January 6, 2012 at 5:55pm EST.

15. I declare under penalty of perjury of the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 7th day of January, 2012.

DATED this 7th day of January, 2012.

Sub W. 1/5

Stuart W. Yothers

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 7th day of January, 2012.

/s/ Marcia A. Ripley  
Marcia A. Ripley